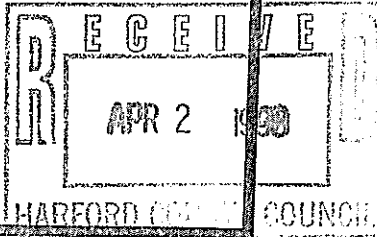


ZONING RECLASSIFICATION APPLICATION

Harford County Board of Appeals

Bel Air, Maryland 21014



Shaded Area For Office Use Only

Case No. 090

Date Filed 3-25-98

Hearing Date _____

Pre-Conf. _____

Receipt _____

Fee \$700⁰⁰

Note

1. It is required that the applicant have a pre-filing conference with the Department of Planning and Zoning to determine the necessary additional information that will be required.
2. The burden of proof in any rezoning case shall be upon the Petitioner.
3. Any application in a zoning case and any amendment thereto shall contain specific allegations setting forth the basis for granting of the request.
4. Petition must contain names and addresses of all persons having legal or equitable interest in the property, including shareholders owning more than five percent (5%) of the stock in a corporation having any interest in the property, except those corporations listed and traded on a recognized stock exchange.
5. Application will be reviewed for completeness within ten (10) working days of submittal. Applicant will be notified by mail of completeness of application.

Petitioner

Name Ronald & Beverly T. Adams Phone Number _____

Address 3467 Churchville Road Aberdeen, Maryland 21001
Street Number Street State Zip Code

Property Owner See Above. Phone Number _____

Address _____
Street Number Street State Zip Code

Contract Purchaser N/A Phone Number _____

Address _____
Street Number Street State Zip Code

Attorney/Representative Robert S. Lynch, Esq., Lawrence F. Kreis, Jr., Esq.
Stark and Keeann, P.A. Phone Number 410-838-5522/879-2222

Address 30 Office Street Bel Air, Maryland 21014
Street Number Street State Zip Code

Hearing: 8/5/98

Land Description

Address and Location of Property (with nearest intersecting road) Lot 2 - 3467 Churchville Road
(Carsins Run)

Subdivision N/A Lot Number 2 Acreage/Lot Size 15.157 Election District 03

Existing Zoning AG Proposed Zoning B3 Acreage to be Rezoned 3.222 Acres

Tax Map No. 51 Grid No. 1B Parcel 164 Deed Reference 2448/408

Critical Area Designation N/A Land Use Plan Designation AG/AG Residential

Present Use and ALL improvements: Vacant

Proposed Use (If for subdivision development, proposed number of lots, type of dwellings, and type of development.

Example: Conventional, Conventional with Open Space, Planned Residential Development) Commercial.

Is the property designated a historic site, or does the property contain any designated or registered historic structures?

No

If yes, describe:

Estimated Time Requested to Present Case: Three (3) hours.

Required Information To Be Attached

(Submit three (3) copies of each):

(a) The names and addresses of all persons, organizations, corporations, or groups owning land, any part of which lies within five hundred (500) feet of the property proposed to be reclassified as shown on the current assessment records of the State Department of Assessments and Taxation.

(b) A statement of the grounds for the application including:

(1) A statement as to whether there is an allegation of mistake as to the existing zoning, and if so, the nature of the mistake and facts relied upon to support this allegation.

(2) A statement as to whether there is an

allegation of substantial change in the character of the neighborhood, and if so, a precise description of such alleged substantial change.

(c) A statement as to whether, in the applicant's opinion, the proposed classification is in conformance with the Master Plan and the reasons for the opinion.

(d) A Concept Plan shall be submitted by the applicant at the time the application is filed. The Concept Plan shall illustrate the following:

(1) Location of site.

(2) Proposed nature and distribution of land uses, not including engineering drawings.

(3) Neighborhood (as defined by the Applicant).

RONALD ADAMS & BEVERLY T. ADAMS
TAX MAP NO. 51, PARCEL 64

(b) (1) The Applicants maintain that there is a mistake as to the existing RR zoning. This property, as shown on the 1996 Land Use Plan is designated as "Agricultural/AG Residential ". (See attachment (b) (1)). The property has frontage on Md. State Route 22, which is a Rural Principal Arterial highway. The current RR zoning is not consistent with the area, given the commercial activities in the neighborhood.

(2) Since the last Comprehensive Rezoning in 1989, there have been numerous changes in the neighborhood. There has been increased vehicular traffic on Md. Rt. 22. In addition, the State Highway Administration has acquired additional frontage in front of the Applicant's Jeep dealership, which has reduced the display area for new vehicles. Furthermore, the H.E.A.T. Center situated at the intersection of I-95 and Rt. 22 has been developed.

(c) The proposed reclassification of the property to a B3 use is consistent with the Master Land Use Plan's "Agricultural/AG Residential Designation". (See attachment (b) (1)). This is due to the fact that the proposed use (i.e. auto dealership) represents the expansion of an existing use and does not introduce an incompatible new land use into an agrarian community. The site is not a productive farm nor does the proposed change in use threaten the viability of the agrarian community.

(d)

(1) See attachment (d) (1).

(2) The property is currently used for the parking of vehicles. The applicant at this time intends to use the property for the storage and display of vehicles as part of his dealership.

(3) Neighborhood: The Neighborhood is defined as an approximate one (1) mile radius around the subject site, which expands approximately to Gray's Run on the West; Mahan Rd. and Carsins Run Rd. to the North and I-95 to the South and East.

(4) See attachment (d) (4).

(5) There are not proposed public or private capital improvements other than the capital improvements planned by the applicant for the property.

(e) Rezoning in the neighborhood: None.

(f) See attachment (d) (1). Based on a review of available natural resource information, no environmental constraints are identified that would affect the use of this property for a B3 use. The wetlands as shown on the site plan are currently being revised due to a recent field investigation which indicates the line as shown on the plat is not accurate.

(g) See attachment (d) (g) and (d) (1)

(h) None

(i) None

(j) There is no public water or sewer planned for the property.

Comprehensive Zoning Log

10/2/97

Issue #	Date	C P C	Tax ID #	Map #	Grid	Parcel #	Property owner	Property location	Acres of parcel	Acres to rezone	CZ	RZ	PAB	P-Z	C-C
E053	10-15-96	BF	03270777	263C		134, lot 1	Jeffrey Silar & Karen Silar	1333 Walters Mill Rd	3.70	3.70	AG	RR	AG	AG	AG
E054	10-15-96	CC	03275701	511B		164 Lot 2	John Moebes	3467 Churchville Rd	15.157	4.0	RR	B3	B3	B3	B3
E055	10-15-96	CC	03113159	423C		423 Lot 26	Phoenix Jt Venture Sean Langford	2512 Churchville Rd Sec V-Bramblew.	.56	.56	RR	B2	RR	RR	RR
E056	10-15-96	CC	03111369	423C		466 Lot 207	Phoenix Jt Venture Sean Langford	2508 Churchville Rd	277 X 204	277 X 204	RR	B2	RR	RR	RR
E057	10-15-96	CC	03111342	423C		466 Lot 202	Phoenix Jt Venture Sean Langford	2502 Churchville Rd	125 X 200	125 X 200	RR	B2	RR	RR	RR
E058	10-15-96	CC	03111350	423C		466 Lot 203	Phoenix Jt Venture Sean Langford	2505 Churchville Rd	225 X 201	225 X 201	RR	B2	RR	RR	RR
E059	10-15-96	CC	03043770	422E		119	Est of K. Harlan (P. Harlan, K. Utzberg)	E S Rt 136 Churchville	81.703	81.703	AG	RR	AG	AG	AG
E060	10-15-96	CC	03057097	514B		131	Victor Posner	WS Aldine Stepmey Rd	326.61	326.61	AG	RR	AG	AG	AG
E061	10-15-96	BF	03066606	334D		429	Charles & Victoria Smith	WS Rt 24 Forest Hill	26.655	2.5	RR	B2	RR	RR	RR
E061-1	10-15-96	BF	03066606	334D		429	Charles & Victoria Smith	WS Rt 24 Forest Hill	26.655	24.1	RR	VR	RR	RR	RR
E062	10-15-96	BF	03277569	334D		430	Charles & Victoria Smith	2226 Rockspring Rd	8.5	2.5	RR	B2	RR	RR	RR
E062-1	10-15-96	BF	03277569	334D		430	Charles & Victoria Smith	2226 Rockspring Rd	8.5	6.0	RR	VR	RR	RR	RR
E063	10-15-96	CC	03141187	423D		376, lot 1	Susan Lynn Phipps	1 Rockdale Ave	107 x 192	107 x 192	RR	VR	RR	RR	RR
E064	10-15-96	CC	03057739	414E		128	Eva Quillen	1614 E. Churchville Rd	1.9606	1.9606	RO	B2	RO	RO	RO
E065	10-15-96	CC	03064158	571C		253	James Smith Jr & James Smith	2015 Calvary Rd	82	4.2	AG	B1	AG	AG	AG
E066	10-15-96	CC	03042049	423A		21	Stephen H. Green	2004 Churchville Rd	1.5	1.5	RR	B1	RR	RR	RR
E067	10-15-96	CC	03039730	423F		262	Kent R. Farrell, Jr.	3011 Churchville Rd	125 X 200	125 X 200	VR	B3	VR	VR	B3
E068	10-15-96	BF	03254194	401F		364, lot 6	Gordon Riemenschneider	Forest Hill All Park 131 Industry Ln	19.724	19.724	GI	CI	GI	GI	GI
E069	10-15-96	BF	03058816	401F		52	Gordon Riemenschneider	RT 23, East West Highway	32.49	32.49	GI	CI	GI	GI	GI
E070	10-15-96	BF	03041778	344C		49	John Burley Grafton	2256 Conowingo Rd	36.297	1	AG	B3	AG	AG	AG
E071	10-15-96	CC	03056023	423D		112	Allen & Susan Phipps	2705 Churchville Rd Churchville	1.05	1.05	RR	VR	RR	RR	RR
E072	10-15-96	CC	01041728	571C		148	Carl L. Hanby & Wife	West Side of Rt 543, South of Creswell	558	558	AG	B2	AG	AG	AG
E073	10-15-96	CC	01037412	571D		159, lot 6	BLC Properties (John Dixon)	North Side of Rt 7, South of Creswell	9.56	9.56	B2	B3	B2	B3	B2
E074	10-15-96	CC	01032488	571E		180, lot 5	BLC Properties (John Dixon)	North West Side of Rt 7, W S Balcamp Rd	7.11	7.11	B2	B3	B2	B3	B2